

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED

09 MAY 22 PM 1:18

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES OF AMERICA

Plaintiff

-vs-

JOHNATHAN CENTENO

Defendant

:
:
: CASE NO. 4:07CR603-01
:
:
:
:
:
:

: ORDER ACCEPTING PLEA
: AGREEMENT AND JUDGMENT AND
: NOTICE OF HEARING
:
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Nancy A. Vecchiarelli regarding the change of plea hearing and plea agreement of Johnathan Centeno which was referred to the Magistrate Judge with the consent of the parties.

On 27 November 2007, the government filed a eighteen-count indictment against Johnathan Centeno for conspiracy to possess with the intent to distribute heroin and possession with intent to distribute cocaine in violation of 21 U.S.C. § 846, distribution of heroin in violation of 21 U.S.C. § 841(a)(1) and § 841(b)(1)(C), possession with intent to distribute cocaine in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C), and unlawful use of a communication facility to facilitate a drug

trafficking offense in violation of 21 U.S.C. § 843(b). On 12 December 2007, a hearing was held in which Johnathan Centeno entered a plea of not guilty before Magistrate Judge George J. Limbert. On 28 April 2009, Magistrate Judge Vecchiarelli received Johnathan Centeno's plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Johnathan Centeno is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Johnathan Centeno is adjudged guilty of Count One in violation of 21 U.S.C. § 846.

Sentencing will be:

7 July 2009 at 9:30 a.m.

**Courtroom 19-A
19th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

22 May 09

Larry Wells
UNITED STATES DISTRICT JUDGE